

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FACEBOOK, INC.

Plaintiff,

v.

C.A. No. 1:10-cv-11917-DPW

PHOENIX MEDIA/COMMUNICATIONS GROUP, INC., PEOPLE2PEOPLE GROUP, INC., TELE-PUBLISHING, INC., AND FNX BROADCASTING LLC,

Defendants.

**DECLARATION OF JAVIER TORRES
IN SUPPORT OF PLAINTIFF
FACEBOOK, INC.'S OPENING CLAIM CONSTRUCTION BRIEF**

I, Javier Torres, declare as follows:

1. I am an attorney at the law firm of Cooley LLP. I represent Facebook in the above captioned matter and have been admitted *pro hac vice* to this Court. I make this declaration in support of Facebook's Opening Claim Construction Brief.
2. Attached as **Exhibit A** is a true and correct copy of U.S. Patent No. 6,199,157 ("the '157 patent").
3. Attached as **Exhibit B** is a true and correct copy of U.S. Patent No. 6,314,458 ("the '458 patent").
4. Attached as **Exhibit C** is a true and correct copy of the November 17, 2011 Markman hearing transcript in the case *Wireless Ink Corp. v. Facebook, Inc.*, No. 11-CIV-1751 (S.D.N.Y.).
5. Attached as **Exhibit D** is a true and correct copy of definitions provided in Merriam-Webster's Collegiate Dictionary Tenth Edition, copyright 1998.

6. Attached as **Exhibit E** is a true and correct copy of definitions provided in the Collins English Dictionary, Fourth Edition, copyright 1998.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 31, 2013 in Palo Alto, CA.

/s/ Javier Torres

Javier Torres

CERTIFICATE OF SERVICE

I, Javier Torres, hereby certify that pursuant to Local Rule 5.4(C), this document has been filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). For those parties indicated as non-registered participants, if any, a paper copy will be sent by facsimile and/or U.S. First Class Mail on January 31, 2013.

/s/ Javier Torres

Javier Torres

1095277 /HN